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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>20 October 2008</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-7,9,12-24,26-30 and 33-38</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-7, 9, 12-24, 26-30, and 33-38</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>11 September 2003</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   The Following is a Third, Non-Final Office Action in response to communications received on October 20, 2008. Claims 1, 9, 11, 17, 23, 26, 28, 29, and 35 have been amended. Claims 8, 10, 25, 31, and 32 have been cancelled. Claim 39 has been added. Therefore, claims 1-7, 9, 11-24, 26-30, and 33-39 are pending and have been addressed below.

Claim Objections

2.   **Claim 39 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.**

Claim 39 is dependent upon claim 9 and recites the same limitations as claim 9, verbatim. Therefore, claim 39 is not further limiting.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4.   **Claims 1-8, 9, and 11-22 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

Claims 1-8, 9, and 11-22 are directed towards a method for receiving information, identifying business process, estimating benefits, and recommending business processes.

Examiner contends that a process must be (1) tied to a particular machine or (2) transform underlying subject matter (such as an article or materials) to a different state or thing.

An applicant may show that a process claim satisfies 35 U.S.C. § 101 either by showing that his claim is tied to a particular machine, or by showing that his claim transforms an article. See Benson, 409 U.S. at 70. Certain considerations are applicable to analysis under either branch. First, the use of a specific machine or transformation of an article must impose meaningful limits on the claim's scope to impart patent eligibility. See Benson, 409 U.S. at 71-72. Second, the involvement of the machine or transformation in the claimed process must not merely be insignificant extra-solution activity. See Flook, 437 U.S. at 590. *In re Bilski*.

In the instant case, the method claims are not tied to a particular machine and could be performed by a series of mental steps. Therefore, these claims do not qualify as a statutory process.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6.   Claims 1-7, 9, 11-24, 26-30, and 33-38 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a

way as to enable one skilled in the art to which it pertains, or with which it is most

nearly connected, to make and/or use the invention.

Claims 1, 17, 23, 26, 28, and 35 recite the limitation "estimating benefits that are

to be gained by the organization when the one or more business challenges are

successfully addressed". The specification of this disclosure is insufficient in describing

this step and a person of ordinary skill in the art would be unable to complete this step.

The estimation of benefits is not necessitated by the prior art and a person of ordinary

skill in the art would be unable to make or use the invention as it is currently recited.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   **Claims 1-7, 9, 12-30, and 33-38 rejected under 35 U.S.C. 103(a) as being**

unpatentable over Hack et al. (2003/0187675) in view of SAP.com (2002).

As per claim 1, Hack et al. discloses "A method comprising:

receiving user-specified information pertaining to one or more business

challenges of an organization" (pg. 3, col. 1, ¶ 23; via user may select a business goal

such as "reducing operating costs or "lowering working capital" where these business

goals are also business challenges);

"wherein the user specified information comprises information concerning the

performance of the organization with respect to each of the one or more business

challenges" (¶ 29 and 30 discloses a user selecting key performance indicators associated with the relevant business process, where the business processes are associated with the business challenges as taught in ¶ 23).

"identifying one or more predefined business processes that address the one or more business challenges of the organization" (pg. 2. col. 2, ¶ 21; identification of value-added business processes and/or strategies);

"and recommending the one or more predefined business processes to a user" (pg. 3. col. 1, ¶ 23; producing a short list of relevant and value adding business processes where producing a list of business processes is the same as recommending processes specific to a particular business challenge).

Hack et al., however, fails to explicitly disclose "estimating benefits that are to be gained by the organization when the one or more business challenges are successfully addressed"

SAP.com discloses a value calculator that "estimates benefits that are to be gained by the organization when the one or more business challenges are successfully addressed" (SAP Value Calculators; ¶ 2 and 3; via estimate how much your company can benefit in a 12-month period by taking the next step, where taking the next step includes implementing the SAP products and via value calculators determine your "stage of excellence" by assessing your company's industry, financial performance, and e-business maturity information and also calculates how much additional value you can realize by improving your e-business infrastructure, where the e-business would be improving the infrastructure by using one of SAP's automated technologies).

Therefore it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the business process valuation tool of Hack et al. to include the estimation and value calculator as taught by SAP because it would provide another way for the user to determine the best process to implement in their company and to evaluate the usefulness of the implementation.

Claims 17, 23 and 26 recite equivalent limitations to claim 1 and are therefore rejected using the same art and rationale as set forth above.

As per claim 2, Hack et al. discloses "communicating to the user a list of business challenges commonly experienced by a plurality of companies" (pg. 2, col. 2, ¶ 20; via identify market forces associated with the selected industry sector which may include tight labor markets, shift toward a retail demand focus, and rapidly shifting consumer preferences, where these market forces are challenges that are commonly experienced by a plurality of companies. Specific case examples may also be provided by the system);

"receiving a user-specified ranking of relative importance with respect to each business challenge in the list" (pg. 3, col.1, ¶ 24; via user may rank relative importance of each business scenario, where the business scenarios are generated by the system based on business challenges);

"and considering the user-specified ranking when identifying the one or more predefined business processes" (pg. 3, col. 1. ¶ 24; via rankings of importance may help define a set of strategies and/ or processes).

Hack, however, fails to explicitly disclose ranking organization performance with respect to each business challenge in the list.

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the business process valuation tool of the Hack and SAP.com combination to replace the prior art ranking of relative importance with the ranking of organization performance because one of ordinary skill in the pertinent art would have been able to carry out such a substitution, and the result of helping to define a set of strategies or processes are reasonably predictable.

Claims 18 and 24 recite equivalent limitations to claim 2 and are therefore rejected using the same art and rationale as set forth above.

As per claim 3, Hack et al. discloses "receiving user-specified information indicating importance of business challenges within the list to the organization" (pg. 3, col. 1, ¶ 24; via user may rank relative importance of each business scenario, where the business scenarios are generated by the system based on business challenges so the business challenges are ranked along with the associated business scenario);

"And considering the importance of the business challenges when identifying the one or more predefined business processes" (pg. 3, col. 1. ¶ 24; via rankings of importance may help define a set of strategies and/ or processes).

Claim 19 recites equivalent limitations to claim 3 and is therefore rejected using the same art and rationale as set forth above.

As per claim 4, Hack et al. discloses "the list of commonly experienced business challenges is specific to a one of a plurality of functions that is selected by the user for

evaluation" (pg. 2, col. 2, ¶ 20; via industry analysis may include defining participants in

terms of their function or role. Participants may include a manufacturer, supplier,

retailer, etc. The industry analysis identifies market forces associated with each

function or role. Users may choose to view the analysis that is associated with their

specific function or role).

      Claim 20 recites equivalent limitations to claim 4 and is therefore rejected using

the same art and rationale as set forth above.

      As per claim 5, Hack et al. discloses "maintaining a database of commonly

experiences business challenges associated with the plurality of functions" (Hack pg. 2,

col. 2, ¶ 20; via The information and/or analysis may be derived from databases and

other such sources and pg. 2. col. 1. ¶ 17; via A database may be used by the host

servers to store and retrieve information related to the operation of the host servers

which includes the execution of the strategic management system).

      As per claim 6, Hack et al. discloses "maintaining a database of commonly

experiences business challenges associated with specific industries" (Hack pg. 2, col. 2,

¶ 20; via The information and/or analysis may be derived from databases and other

such sources and pg. 2. col. 1. ¶ 17; via A database may be used by the host servers to

store and retrieve information related to the operation of the host servers which includes

the execution of the strategic management system).

      As per claim 7, Hack et al. discloses "requesting the user to enter

industry and revenue data associated with the organization" (pg. 2, col. 1; via allow the

user to enter information related to the industry that is of interest to the user and pg. 4,

col. 1. ¶ 33; via requiring user to enter financial information such as annual revenue, on hand inventory, sales, general and administration expenses).

As per claims 9 and 39, Hack et al. discloses all of the elements of the claimed invention but fails to explicitly disclose "the automated technology is at least one of customer relationship management (CRM), partner relationship management (PRM), and employee relationship management (ERM)".

SAP.com discloses "automated customer relationship management (CRM) technology" (my SAP Customer Relationship Management; this section gives a description of SAP's automated CRM technology that they offer to their customers).

Therefore it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the business process valuation tool of Hack et al. to include the automated CRM technology as taught by SAP.com because CRM is a very prominent e-business solution that will contribute to the thriving business of a company if implemented.

As per claim 12, Hack et al. discloses "displaying to the user each of the one or more business challenges with at least one of the one or more predefined business processes that addresses said each of the one or more business challenges" (pg. 2, col. 2, ¶ 20; via the system may also display solutions/responses to certain of the identified market factors, where the identified market factors are the business challenges and the solutions/responses are the predefined business processes that addresses the business challenges).

Claim 21 and 27 recite equivalent limitations to claim 12 and are therefore rejected using the same art and rationale as set forth above.

As per claim 13, Hack et al. discloses "allowing the user to view detailed business process information for the at least one of the one or more predefined business processes" (pg. 2, col. 2, ¶ 22; via the user may select for further analysis one or more strategies and/or processes from a list of strategies and/or processes recommended by the system where the user will further describe the business strategies chosen by the user).

Claim 22 recites equivalent limitations to claim 13 and is therefore rejected using the same art and rationale as set forth above.

As per claim 14, Hack et al. discloses "identifying a software product required to implement each of the one or more predefined business processes" (pg. 3, col. 1, ¶ 26; via the system may identify software products).

As per claim 15, Hack discloses "mapping each of the one or more predefined business processes to a corresponding best practice strategy recommendation and a corresponding best practice functionality recommendation" (pg. 2, col. 1, ¶ 16; via a list of business scenarios relevant to user, proposed business strategies and objectives, proposed products and services that meet the business strategies and objectives, where the business scenarios include the business processes and the products and services are the functionality recommendations provided by the system);

"And allowing the user to view the corresponding best practice strategy recommendation and the corresponding best practice functionality recommendation"

(pg. 2, col. 1, ¶ 16; via assist a user in analyzing, where the user must be able to view the recommendations in order for the system to assist them).

As per claim 16, Hack et al. discloses "allowing the user to view performance metrics associated with the one or more predefined business processes" (pg. 1, col. 2, ¶ 9; via provided with a quantitative value that includes metrics, where the performance metrics are associated with the business processes that the participant has determined to be relevant and value-adding);

"and allowing the user to view a success story of a customer who has implemented at least one of the one or more predefined business processes" (pg. 2, col. 2, ¶ 20; via analysis may also provide case examples, where the case examples would include success stories of other firms pursuing industry trends that have been presented by the system).

As per claim 28, Hack et al. discloses "A system comprising: a memory; and at least one processor coupled to the memory" (pg. 2, col. 2, ¶ 18; via computer device, where a computer is a system comprising a memory and a processor),

"the processor executing a set of instructions which cause the processor to receive user-specified information pertaining to one or more business challenges of an organization" (pg. 3, col. 1, ¶ 23; via user may select a business goal such as "reducing operating costs or "lowering working capital" where these business goals are also business challenges),

"wherein the user specified information comprises information concerning the performance of the organization with respect to each of the one or more business challenges" (¶ 29 and 30 discloses a user selecting key performance indicators associated with the relevant business process, where the business processes are associated with the business challenges as taught in ¶ 23).

"identify one or more predefined business processes that address the one or more business challenges of the organization (pg. 2. col. 2, ¶ 21; identification of value-added business processes and/or strategies);

"and recommending the one or more predefined business processes to a user" (pg. 3. col. 1, ¶ 23; producing a short list of relevant and value adding business processes, where producing a list of business processes is the same as recommending processes specific to a particular business challenge).

Hack et al., however, fails to explicitly disclose "estimating benefits that are to be gained by the organization when the one or more business challenges are successfully addressed".

SAP.com discloses a value calculator that "estimates benefits that are to be gained by the organization when the one or more business challenges are successfully addressed" (SAP Value Calculators; ¶ 2 and 3; via estimate how much your company can benefit in a 12-month period by taking the next step, where taking the next step includes implementing the SAP products and via value calculators determine your "stage of excellence" by assessing your company's industry, financial performance, and e-business maturity information and also calculates how much additional value you can

realize by improving your e-business infrastructure, where the e-business would be improving the infrastructure by using one of SAP's automated technologies).

Therefore it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the business process valuation tool of Hack et al. to include the estimation and value calculator as taught by SAP because it would provide another way for the user to determine the best process to implement in their company and to evaluate the usefulness of the implementation.

Claim 35 recites equivalent limitations to claim 28 and is therefore rejected using the same art and rationale as set forth above.

As per claim 29, Hack et al. discloses "the processor is to receive user-specified information pertaining to one or more business challenges of an organization by communicating to the user a list of business challenges commonly experienced by a plurality of companies" (pg. 2, col. 2, ¶ 20; via identify market forces associated with the selected industry sector which may include tight labor markets, shift toward a retail demand focus, and rapidly shifting consumer preferences, where these market forces are challenges that are commonly experienced by a plurality of companies. Specific case examples may also be provided by the system);

"receiving a user-specified ranking of an organization performance with respect to each business challenge in the list" (pg. 3, col.1, ¶ 24; via user may rank relative importance of each business scenario, where the business scenarios are generated by the system based on business challenges);

"and considering the user-specified ranking when identifying the one or more predefined business processes" (pg. 3, col. 1. ¶ 24; via rankings of importance may help define a set of strategies and/or processes).

Hack, however, fails to explicitly disclose ranking organization performance with respect to each business challenge in the list.

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the business process valuation tool of the Hack and SAP.com combination to replace the prior art ranking of relative importance with the ranking of organization performance because one of ordinary skill in the pertinent art would have been able to carry out such a substitution, and the result of helping to define a set of strategies or processes are reasonably predictable.

Claim 36 recites equivalent limitations to claim 29 and is therefore rejected using the same art and rationale as set forth above.

As per claim 30, Hack et al. discloses "receiving user-specified information indicating importance of business challenges within the list to the organization" (pg. 3, col. 1, ¶ 24; via user may rank relative importance of each business scenario where the business scenarios are generated by the system based on business challenges so the business challenges are ranked along with the associated business scenario);

"And considering the importance of the business challenges when identifying the one or more predefined business processes" (pg. 3, col. 1. ¶ 24; via rankings of importance may help define a set of strategies and/ or processes).

As per claim 33, Hack et al. discloses "displaying to the user each of the one or more business challenges with at least one of the one or more predefined business processes that addresses said each of the one or more business challenges" (pg. 2, col. 2, ¶ 20; via the system may also display solutions/responses to certain of the identified market factors, where the identified market factors are the business challenges and the solutions/responses are the predefined business processes that addresses the business challenges).

Claim 37 recites equivalent limitations to claim 33 and is therefore rejected using the same art and rationale as set forth above.

As per claim 34, Hack et al. discloses "map each of the one or more predefined business processes to a corresponding best practice strategy recommendation and a corresponding best practice functionality recommendation" (pg. 2, col. 1, ¶ 16; via a list of business scenarios relevant to user, proposed business strategies and objectives, proposed products and services that meet the business strategies and objectives, where the business scenarios are the business processes and the products and services are the functionality recommendations provided by the system),

"and to allow the user to view the corresponding best practice strategy recommendation and the corresponding best practice functionality recommendation" (pg. 2, col. 1, ¶ 16; via assist a user in analyzing, where the user must be able to view the recommendations in order for the system to assist them).

As per claim 38, Hack et al. discloses "allow the user to view detailed best practice information for the at least one of the one or more best practices" (pg. 2, col. 2,

¶ 22; via the user may select for further analysis one or more strategies and/or processes from a list of strategies and/or processes recommended by the system where the user will further describe the business strategies chosen by the user).

9.   **Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hack et al. as applied to claims 1 and 28 above in view of Spangenberg et al. (US 2004/0260585).**

As per claim 11, Hack et al. discloses all of the elements of the claimed invention but fails to explicitly disclose "wherein the benefits are estimated using statistical data".

Spangenberg discloses a method and apparatus for measuring benefits of business improvements that "estimates benefits using statistical data" (pg. 4, col. 1, ¶ 33; via profit analysis over a same time period length using estimated performance information, where an analysis using estimated performance data is statistical in nature because of the fact that it is estimated).

Therefore it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the business process valuation tool of Hack et al. to include the "estimate of benefits using statistical data" as taught by Spangenberg et al. because the estimating of benefits will ultimately aid the user in determining which business process will be of most value to their company if implemented.

Response to Arguments

10.   Applicant's arguments with respect to claims 1, 17, 23, 26, 28, and 35 and Applicant's arguments that the cited sections of hack and SAP.com fail to teach

information concerning organization performance with respect to each of the business challenges have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments with respect to claims 1, 17, 23, 26, 28, and 35 and Applicants arguments that SAP.com fails to teach estimating the benefits of addressing Hack's goals have been fully considered but they are not persuasive. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Furthermore, Claim 1 recites 'identifying one or more predefined business processes that address the one or more business challenges of the organization" and "estimating benefits that are to be gained by the organization when the one or more business challenges are successfully addressed". Hack discloses the identifying of business processes that address one or more business challenges. The business challenges as disclosed by Hack just happen to be "reducing operating costs" and "lowering working capital". These business challenges are not limitations that are required by the claim language. Using the broadest reasonable interpretation, such business challenges can be anything that a user may consider to be business challenge. The challenges disclosed by Hack are merely examples of what the business challenges could be and thus represent a species of the business challenge genus as required by the claim language. SAP.com discloses estimating benefits that

are to be gained by the organization when the one ore more business challenges are addressed. SAP.com does this by estimating how much a company will benefit by implementing a SAP product which happens to be addressing the business challenge of improving the e-business infrastructure.

Applicants argue that it would be unreasonable to interpret the business goals of Hack as in any way including the implementation of anything comparable to SAP's products. Examiner respectfully disagrees and would like to direct Applicants to ¶ 26 of the Hack prior art reference which discloses identifying software products that may be used to implement or facilitate the strategies identified to address the business challenges as discussed in ¶ 23. Examiner asserts that SAP software products are comparable to any other software product that may be used to address any business challenge as they would be performing the same function of addressing a business challenge.

In response to arguments with respect to Examiner's motivation to combine the Hack and SAP.com prior art references in the rejection of claim 1, Examiner, respectfully, disagrees. It would have been obvious to one of ordinary skill to combine the business process valuation tool of Hack with the SAP.com value calculator since such would ascertain how much value that can be realized by implementing a specific method or process to address a specific business challenge which would, in turn, provide a user with a way to determine the best process to implement in their company.

Applicant's arguments, see pg. 20, with respect to the rejection(s) of claim(s) 2, 18, and 24 under 35. U.S.C. 103 (a) have been fully considered and are persuasive.

Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made. Please see new grounds of rejection above.

In response to arguments in reference to claims 3-7, 9, 11, 12-17, 18-23, 26-30, and 33-38, all rejections made towards the dependent claims are maintained due to a lack of reply by the applicant in regards to distinctly and specifically pointing out the supposed errors in the examiner's prior office action (37 CFR 1.111). The Examiner asserts that the applicant only argues that the dependent claims should be allowable because the independent claims are unobvious and patentable over the prior art.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CANDICE D. CARTER whose telephone number is (571) 270-5105. The examiner can normally be reached on Monday thru Thursday 7:30am- 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. D. C./
Examiner, Art Unit 3629

/John G. Weiss/
Supervisory Patent Examiner, Art Unit 3629